

# **Law Offices of Barton Day, PLLC**

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## **Memorandum**

From: Barton Day  
To: [expartecommunication@hq.doe.gov](mailto:expartecommunication@hq.doe.gov)  
Re: *Ex Parte* Conference Call  
Date: October 4, 2017

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On September 29, 2017, Barton Day, representing Spire, Inc., had a telephone conference with DOE officials concerning a pending request for interpretation jointly submitted on June 6, 2017 by Spire Inc., the American Public Gas Association, and the American Gas Association. The request for interpretation relates to an issue common to the development of energy conservation standards for a variety of gas products, including those at issue in the following pending rulemaking proceedings:

Energy Conservation Program: Energy Conservation Standards for Commercial Packaged Boilers; Docket Number EERE-2013-BT-STD-0030, RIN No. 1904-AD01

Energy Conservation Program: Energy Conservation Standards for Commercial Water Heaters; Docket Number EERE-2014-BT-STD-0042; Rin No. 1904-AD34

Energy Conservation Program: Energy Conservation Standards for Residential Furnaces; Docket Number EERE-2014-BT-STD-0031; RIN No. 1904-AD20

The following persons were on the call:

Daniel Simmons (DOE)  
George Fibbe (DOE)  
Hayden Stone (DOE)  
Barton Day (Counsel for Spire)

The subject of the call was the propriety of energy conservation standards that would effectively eliminate atmospherically-vented gas products from the market. Day briefly reviewed the factual and legal issues presented in the written request for interpretation and expressed a willingness to provide any additional information that might prove helpful in DOE's review of those issues.

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